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B I L L

INTITLED

An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the town of Ballinasloe; and to the Ballymacormick Burial Ground; and to the towns of Clonmel and Tralee; and to Water-works in the town of Wicklow. A.D. 1880.

WHEREAS the Local Government Board for Ireland have made the Provisional Orders set forth in the Schedule hereunto annexed, relative to the places above mentioned, under the provisions of the Public Health (Ireland) Act, 1878:

41 & 42 Vict.
c. 52.

5 And whereas it is requisite that the said Orders should be confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled,
10 and by the authority of the same, as follows:

1. The Orders set out in the Schedule hereunto annexed shall be and the same are hereby confirmed, and all the provisions thereof shall, from and after the passing of this Act, have full validity and force. The Provisional Orders in Schedule confirmed.

15 2. This Act may be cited as the Local Government Board (Ireland) Provisional Orders Confirmation (Ballinasloe, &c.) Act, 1880. Short title.

A.D. 1880.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

TOWN OF BALLINASLOE.

Provisional Order.

WHEREAS the town of Ballinasloe in the counties of Galway and Ros-
common contains, according to the last Census, a population of 4,619, and the
said town is wholly situated within the rural sanitary district consisting of the
Ballinasloe Union, and there are in the said town Town Commissioners elected
and acting under the provisions of the Towns Improvement (Ireland) Act,
1854; and the said Town Commissioners have presented a petition to the
Local Government Board for Ireland, in pursuance of the 7th section of the
Public Health (Ireland) Act, 1878, praying for a Provisional Order to
separate the said town from the said rural sanitary district, and to constitute it
an urban sanitary district:

And whereas the guardians of the poor of the Ballinasloe Union have passed
a resolution recommending that such Order shall be made:

And whereas all advertisements and notices required by the Public Health
(Ireland) Act, 1878, have been duly published and given, and no objection to
the proposed Order has been taken by any person, and it appears to the Local
Government Board for Ireland to be proper to make this Provisional Order in
respect of the matters aforesaid:

Continuation of
urban sanitary
district.

1. From and after the confirmation of this Order by Act of Parliament, the
said town of Ballinasloe shall be separated from the rural sanitary dis-
trict consisting of the Ballinasloe Union, and the said town shall thence-
forth be constituted an urban sanitary district, subject to all the provi-
sions of the Public Health (Ireland) Act, 1878, affecting urban sani-
tary districts.

Short title of
Order.

2. This Order may be cited and referred to for all purposes as "The Ballin-
asloe Provisional Order, 1880."

Given under our hands and seal of office, this sixteenth day of March
one thousand eight hundred and eighty.

(Signed) HENRY ROBINSON.

(A.S.)

CHARLES CROKER-KING.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

A.D. 1850.

BALLYMACORMICK BURIAL GROUND.

Provisional Order.

5 WHEREAS the guardians of the poor of the Longford Union, being the Sanitary Authority and Burial Board of the Rural Sanitary District, consisting of the Longford Union, have vested in them as such Sanitary Authority, the burial ground of Ballymacormick, in the parish of Ballymacormick, barony of Ardagh, and county of Longford, and are about to make additions to the said burial ground:

41 & 42 Viet.
c. 22. & 161.
22 & 23 Viet.
c. 42. & 22.

10 And whereas plans of the proposed additions to the said burial ground (herein-after referred to as the deposited plans) have been deposited in the office of the clerk of the Longford Union and in the office of the Local Government Board for Ireland in Dublin:

15 And whereas the notices and advertisements required by "The Public Health (Ireland) Act, 1878," section 203, having been previously published, served, and given, the said Burial Board have presented a petition under their seal to the Local Government Board for Ireland, praying that the said burial board may be allowed to put in force the provisions of the Lands Clauses Acts with respect to the purchase and taking of land, otherwise than by agreement, with reference to the lands herein-after mentioned, being the lands comprised in the said plans:

41 & 49 Viet.
c. 22. & 193.

20 And whereas the Local Government Board for Ireland having directed a local inquiry as to the propriety of assenting to the prayer of the said petition, and such inquiry having been made, it appears to the Local Government Board for Ireland to be proper to assent to the prayer of the said petition:

It is ordered by the Local Government Board for Ireland, as follows:—

1. From and after the time when this Order shall be confirmed by Act of Parliament, it shall be lawful for the guardians of the poor of the Longford Union, acting as the burial board of the Longford Union, and they shall be empowered to put in force the provisions of the Lands Clauses Acts with respect to the purchase and taking of lands, otherwise than by agreement, with reference to the lands following: All that portion of the lands of Mullaghavernon, containing one acre three roods and fourteen perches, and a portion of the lands of Carronsgeeragh, containing twenty perches, which lands are situate in the parish of Ballymacormick, barony of Ardagh, and county of Longford, and are delineated in the said deposited plans.

Compulsory powers to take lands.

2. The powers of compulsory purchase conferred by this Order may be exercised at any time or times within five years after the confirmation of this Order by Act of Parliament, but not afterwards.

Limit of compulsory power.

3. The word "lands" in this Order has the same meaning as the word "lands" as used in the 202nd and 203rd sections of "The Public Health (Ireland) Act, 1878;" the expression "Lands Clauses Acts" means and

Interpretation of terms.

[220.] A 2

A.D. 1880.	includes the several Acts of Parliament mentioned by and included in the same expression as used in "The Public Health (Ireland) Act, 1878," and also the said Public Health (Ireland) Act, 1878.	
Short title of Order.	4. This Order may be cited and referred to for all purposes as "The Ballymacormick Burial Ground Provisional Order, 1880."	5
	Given under our hands and seal of office, this seventh day of May one thousand eight hundred and eighty.	
	(Signed) HENRY ROBINSON. CHARLES CROKER-KING. GEORGE MORRIS.	10
	(L.S.)	

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

BOROUGH OF CLONMEL.

Provisional Order (No. 1).

WHEREAS the Mayor, Aldermen, and Burgesses of Clonmel are the Urban Sanitary Authority of the Urban Sanitary District, consisting of the 15 borough of Clonmel:

And whereas by a Provisional Order of the said Local Government Board, dated the 29th November 1878, made in pursuance of "The Public Health (Ireland) Act, 1878," s. 205, and confirmed by the Act of Parliament, 42 & 43 Vict., c. 4, the jurisdiction, power, and authority of the Grand Juries 20 of the counties of Tipperary (South Riding) and of Waterford, with respect to roads, bridges, footpaths, and public works within the said Urban Sanitary District (except public works concerning the said counties, or either of them, at large), have been transferred from the said Grand Juries respectively to the said Urban Sanitary Authority: 25

And whereas the said Urban Sanitary Authority have presented a petition to the said Local Government Board stating (amongst other matters) that upon such transfer the petitioners had cast upon them the responsibility of repairing and maintaining streets of the borough, and that for those purposes it was necessary that they should at all times have a sufficient and convenient quarry 30 from which to procure limestone, and that there is such a quarry on the lands herein-after mentioned, and praying that the petitioners may, with reference to such lands, be allowed to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement: 35

And whereas a plan showing the lands intended to be taken (herein-after referred to as the deposited plan), has been deposited in the office of the town clerk of the said borough, and a copy thereof has been deposited in the office of the said Local Government Board in Dublin:

And whereas all notices and advertisements required by "The Public Health (Ireland) Act, 1878," s. 203, having been previously duly given, served, and published, the Local Government Board for Ireland have directed a local 40

inquiry to be held as to the propriety of assenting to the prayer of the said petition; and the said inquiry having been held, it appears to the Local Government Board for Ireland to be proper to assent to the said prayer:

A.D. 1840.

It is ordered by the Local Government Board for Ireland, as follows:—

- 5 1. From and after the time when this Order shall be confirmed by Act of Parliament, the Mayor, Aldermen, and Burgesses of Clonmel shall be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands, otherwise than by agreement, with reference to the lands following: All that portion of the
10 the lands of Garryshane, known as Jackson's Hill, containing one acre of land or thereabouts, and situate in the parish of Inishlennagh, barony of Iffa and Offa East, and county of Tipperary, described in the said deposited plan.
- 15 2. The powers of compulsory purchase conferred by this Order shall not be exercised after the expiration of three years from the time of the confirmation of this Order by Act of Parliament.
3. In this Order "Lands Clauses Acts" means and includes "The Lands Clauses Consolidation Act, 1845," as the same is amended by "The
20 Lands Clauses Consolidation Acts Amendment Act, 1846;" "The Railways Act (Ireland), 1851;" "The Railways Act (Ireland), 1860;" "The Railways Act (Ireland), 1864;" and "The Railways Traverser Act."
4. This Order may be cited and referred to for all purposes as "The Clonmel Provisional Order, 1840, No. 1."
- 25 Given under our hands and seal of office, this tenth day of May one thousand eight hundred and eighty.

(Signed) HENRY ROBINSON.
CHARLES CROKER-KING.
GEORGE MORRIS.

(L.S.)

Compulsory powers of purchase lands.

Time within which powers hereby conferred must be exercised.

Meaning of "Lands Clauses Acts."
3 & 4 Vict. c. 13;
25 & 26 Vict. c. 246;
14 & 15 Vict. c. 74;
23 & 24 Vict. c. 12;
27 & 28 Vict. c. 11;
30 & 31 Vict. c. 26.

Short title of Order.

30 THE LOCAL GOVERNMENT BOARD FOR IRELAND.

BOROUGH OF CLONMEL.

Provisional Order (No. 2).

WHEREAS the Mayor, Aldermen, and Burgesses of Clonmel are the Urban Sanitary Authority of the Urban Sanitary District, consisting of the
35 borough of Clonmel:

And whereas by a Provisional Order of the said Local Government Board, dated the 29th November 1878, made in pursuance of "The Public Health (Ireland) Act, 1878," and confirmed by Act of Parliament, 42 & 43 Vict. c. 4, the jurisdiction, power, and authority of the Grand Jurors of the counties of
40 Tipperary (South Riding) and of Waterford, with respect to roads, bridges, footpaths, and public works within the said Urban Sanitary District (except public works concerning the said counties, or either of them, at large), have

41 & 42 Vict.
c. 52, c. 246.

A.D. 1869. been transferred from the said Grand Juries respectively to the said Urban Sanitary Authority:

And whereas the said Urban Sanitary Authority have undertaken the proper cleansing of streets within the said district:

41 & 42 Vict. And whereas the said Urban Sanitary Authority have presented a petition 5
c. 52. s. 53.
41 & 42 Vict. to the said Local Government Board, praying that the petitioners may, with
c. 22. s. 505. reference to the lands hereinafter mentioned, be allowed to put in force the
provisions of the Lands Clauses Acts, with respect to the purchase and taking
of lands, otherwise than by agreement, in order to provide a place for depositing
temporarily, and collecting rubbish, dust, street scrapings, and other matters 10
collected by them in cleansing the said streets:

And whereas a plan showing the lands intended to be taken (hereinafter referred to as the deposited plan), had been deposited at the office of the town clerk of the said borough, and a copy thereof has been deposited in the office of the Local Government Board in Dublin: 15

And whereas all notices and advertisements required by "The Public Health (Ireland) Act, 1878," section 203, having been previously given, served, and published, the said Local Government Board have directed a local inquiry to be held as to the propriety of assenting to the prayer of the said petition; and the said inquiry having been held, it appears to the said Local Govern- 20
ment Board to be proper to assent to the said prayer:

It is ordered by the Local Government Board for Ireland as follows:—

Compulsory
powers of pur-
chasing land.

1. From and after the time when this Order shall be confirmed by Act of Parliament, the Mayor, Aldermen, and Burgesses of Clonsilla shall be empowered to put in force the powers of the Lands Clauses Acts with 25
respect to the purchase and taking of lands, otherwise than by agree-
ment, with reference to the lands following: All that about one half statute
acre of the lands of Burgogery East, situate in the parish of Saint Mary's,
barony of Ifth and Offa East, in the county of Tipperary, described in
the said deposited plan. 30

Time within
which the
powers hereby
conferred shall
be exercised.

2. The powers of compulsory purchase conferred by this Order shall not be exercised after the expiration of three years from the time of the con-
firmation of this Order by Act of Parliament.

Meaning of
"Lands Clauses
Acts" &c. 9 Vict.
c. 18. s. 74
Vict. c. 306,
14 & 15 Vict. c. 70;
22 & 23 Vict. c. 80;
27 & 28 Vict. c. 71;
31 & 32 Vict. c. 75.

3. In this Order "Lands Clauses Acts" means and includes "The Lands Clauses Consolidation Act, 1845," as the same is amended by "The Lands Clauses Consolidation Act Amendment Act, 1880;" "The Railways Act (Ireland), 1851;" "The Railways Act (Ireland), 1880;" "The Railways Act (Ireland), 1884;" and the Railways Traverse Act."

Short title of
Order.

4. This Order may be cited and referred to for all purposes as "The Clonsilla Provisional Order, 1880, No. 2." 40

Given under our hands and seal of office, this tenth day of May one thousand eight hundred and eighty.

(Signed) HENRY ROBINSON.
CHARLES CROKER-KING.
GEORGE MORRIS, 45

(L.S.)

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

A.D. 1880.

TOWN OF TRALEE.

Provisional Order.

WHEREAS the Town Commissioners of the town of Tralee, in the county
5 Kerry, being the Urban Sanitary Authority of the Urban Sanitary District,
consisting of the said town of Tralee, have made an application under their
Seal to the Local Government Board for Ireland, for a Provisional Order in
pursuance of the 208th section of "The Public Health (Ireland) Act, 1878,"
to transfer from the Grand Jury of the county Kerry to the said Urban
10 Sanitary Authority, the jurisdiction, power, and authority with respect to roads,
bridges, footpaths, and public works within such district, vested in such Grand
Jury under any Act or Acts, and to make such further provisions in relation to
such transfer as are mentioned in the said section :

And whereas all advertisements and notices required by the said Act having
15 been previously duly published and given, the Local Government Board for
Ireland have caused a local inquiry to be held in the said town into the matter
of the said proposed Order :

It is ordered by the Local Government Board for Ireland, as follows:—

1. From and after the time when this Order shall be confirmed by Parlia-
ment, all jurisdiction, power, and authority with respect to roads, bridges,
20 footpaths, and public works (except public works chargeable to the
county at large) within the said Sanitary District, vested in the Grand
Jury of the county of Kerry under any Act or Acts, shall be transferred
from the said Grand Jury to the said Urban Sanitary Authority; and it
shall not be lawful for the said Grand Jury, after such transfer, to make
25 any presentment with regard to any road, bridge, footpath, or other
public work within the said district, except public works chargeable to
the said county at large, nor shall land or premises within the said
district be liable to Grand Jury Cess in respect of any heretofore present-
ment for roads, bridges, footpaths, or public works.
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2. This Order shall not affect in any way the levying and enforcement of the
payment of arrears, if any, of Grand Jury Cess due at the time of the
confirmation of this Order, nor shall this Order affect any contract for
the execution of any public work within the said district in force and
35 unperformed at the time of the confirmation of this Order: all such
contracts shall be executed and carried out in all respects, and all
moneys payable in respect of such contracts shall be raised, levied, and
paid in the same manner as if this Order had not been made.
3. From and after such transfer, the secretary of the Grand Jury of the
40 county Kerry shall, within a reasonable time after each Assizes, furnish
to the clerk of the Town Commissioners of the town of Tralee, a
certificate signed by the said secretary, stating the amount of Grand
Jury Cess payable by the said town in respect to county at large
presentments, which amount shall be a sum bearing the same proportion

Transfer of powers upon roads, &c. from Grand Jury to Urban Sanitary Authority.

Provision for levying arrears of Grand Jury Cess and for enforcing contracts.

Provision for payment of balance of Grand Jury Cess.

A.D. 1880.

to the total amount of the presentments affecting the county at large made at such Assizes as the valuation of premises within the said town for the purposes of Grand Jury Cases bears to the total amount of the valuation of the said county. The said Urban Sanitary Authority shall, within thirty days after the delivery of such certificate, lodge, the amount so certified in the bank of the Banking Company appointed to act as treasurer of the said county in pursuance of the provisions of the 30th and 31st Victoria, chapter 46, on the receipt of the officer of the said bank authorised to give receipts in pursuance of the said Act; and such receipt shall be a sufficient discharge to the said Town Commissioners for the payment of the amount of such receipt. If the said Urban Sanitary Authority shall at any time fail to lodge, within the time herein-before mentioned, the amount so certified by the secretary of the Grand Jury, the liability of owners and occupiers of premises within the said town to pay Grand Jury Cess shall be revived to the extent necessary for levying the amount of the certificate, and such owners and occupiers shall be liable to pay Grand Jury Cess in respect to the presentments included in the certificate, and such payments may be enforced in the same manner in every respect as if this Order had not been made.

Power of Sanitary Authority to traverse presentments.

4. In the case of any presentment to which, if listed, the Sanitary Authority shall be bound to contribute under the provisions herein-before contained, the Sanitary Authority may traverse such presentment, and such traverse shall be dealt with and tried in all respects in the same manner as other traverses of presentments.

Power for rate to provide for the expenses incident to the transfer of authority.

5. In order to enable the said Town Commissioners to defray the expenses consequent upon and incident to the transfer of authority herein-before provided for and ordered, it shall be lawful for the said Town Commissioners, and they are hereby empowered, to assess, levy, and raise from time to time after this Order shall have been confirmed by Act of Parliament, in addition to the town rates which the said Commissioners are now empowered to raise and levy, a rate sufficient for the purpose of defraying such expenses not exceeding 2s. in the pound of rateable value, which rate shall be leviable along with such town rates, and shall be (for the purposes of being assessed, raised, and levied) an addition to such general town rate, and such increased rate shall be assessed, raised, payable, and levied in the like manner in all respects as such town rate is now assessed, payable, and levied.

Short title of Order.

6. This Order may be cited and referred to for all purposes as "The Town of Tralee Provisional Order, 1880."

Given under our hands and seal of office, this twenty-ninth day of April one thousand eight hundred and eighty.

(L.S.)

(Signed) HENRY ROBINSON,
CHARLES CROKER-KING.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

A.D. 1899.

TOWN OF WICKLOW.

Provisional Order.

WHEREAS the Town Commissioners of Wicklow, being the Urban Sanitary Authority of the Urban Sanitary District consisting of the town of Wicklow, and being about to construct waterworks for the purpose of supplying the said district with water, have presented petitions to the Local Government Board for Ireland praying that the said Sanitary Authority may be allowed to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement with reference to the lands and premises herein-after mentioned which are required for the purposes of the said waterworks:

And whereas plans of the said lands and premises (herein-after referred to as the deposited plans) have been deposited in the office of the town clerk in the town of Wicklow, and in the office of the Local Government Board for Ireland in Dublin:

And whereas all notices and advertisements required by the Public Health (Ireland) Act, 1878, having previously been duly published, served, and given, the Local Government Board for Ireland have caused a local inquiry to be held as to the propriety of assenting to the prayers of the said petitions, and it appears to be proper to assent thereto:

It is ordered by the Local Government Board for Ireland as follows:—

1. From and after the confirmation of this Order by Act of Parliament it shall be lawful for the said Sanitary Authority to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement in reference to the lands and premises following: A portion of the townland of Ashtown, containing about four acres and two roods, in the possession of William Carr, and situate in the barony of Newcastle and county of Wicklow; also a portion of the townland of Hawkstown, containing about six acres two roods, in the occupation of Peter Burne, and situate in the barony of Arklow and county of Wicklow; which said lands are delineated in the said deposited plans.
2. The powers of compulsory purchase conferred by this Order may be exercised at any time within three years from the time of the confirmation of this Order by Act of Parliament, but not afterwards.
3. The word "lands" in this Order has the same meaning as the word "lands" as used in the 202nd and 203rd sections of "The Public Health (Ireland) Act, 1878." The expression "Lands Clauses Acts" in this Order includes the several Acts of Parliament included in the same expression as used in the Public Health (Ireland) Act, 1878, and also the said Public Health (Ireland) Act, 1878.

Compulsory power to purchase lands conferred.

Limit of time within which the powers hereby conferred must be exercised.
Interpretation clause.

(220.)

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A.D. 1880.
Short Title of
Order.

4. This Order may be cited and referred to for all purposes as "The Wicklow Town Provisional Order, 1880."

Given under our hands and seal of office, this nineteenth day of May one thousand eight hundred and eighty.

(L.S.)

(Signed) HENRY ROBINSON.
CHARLES CROKER-KING.

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Local Government
(Ireland) Provisional
Orders (Ballinasloe, &c.)
[B. L.]

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B I L L

INTRODUCED

*An Act to confirm certain Provisional
Orders of the Local Government
Board for Ireland relating to the
town of Ballinasloe; and to the
Ballymasareah Local Ground; and
to the towns of Clonsilla and Tullane;
and to Walsbrook in the town of
Wicklow*

(Brought from the Lords 18 June 1885.)

*Ordered, by The House of Commons, to be Printed,
14 June 1885.*

[B.L. 1885.]

Order 2 on.